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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,635	07/25/2001	Jean Marc Gilson	3610-16	6347
7590	11/23/2004			
LEWIS F. GOULD, JR. DUANE MORRIS & HECKSCHER, LLP ONE LIBERTY PLACE PHILADELPHIA, PA 19103			EXAMINER STONER, KILEY SHAWN	
			ART UNIT	PAPER NUMBER
			1725	

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/912,635

Applicant(s)

GILSON, JEAN MARC

Examiner

Kiley Stoner

Art Unit

1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-8 is/are rejected.
- 7) ☒ Claim(s) 5 and 9-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7-29-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Rao et al. (4,952,345 of the IDS). Rao et al. teaches a continuous static polymerisation reactor unit for the production of liquid polymers in a predetermined viscosity range which comprises: a) a reactor comprising an elongate hollow reaction chamber having two ends, one end defining an inlet means adapted for the introduction of a reaction mixture into the reaction chamber, and the other end defining an outlet means (Figures); b) a supply means in communication with the inlet means for supplying monomers, oligomers, or mixtures thereof to said inlet means (column 2, lines 29-41); and c) means for introducing at least one viscosity controlling agent into the supply means to form a reaction mixture with the monomers, oligomers or mixtures thereof (column 10, lines 10-20), wherein the temperature and flow rate values of the resulting polymer in the elongate hollow reaction chamber are maintained substantially constant (abstract; and column 2, lines 42-63); and d) a control means adapted to detect and correct any variation from a predetermined pressure drop value between the inlet means and the outlet means (column 3, lines 41-68); wherein the reaction mixture is mixed with a

preheated pressurised gas at the inlet means (column 2, lines 29-63); an inert gas supply to the inlet means (column 1, line 65-column 2, line 9). It is inherent that the inert gas supply of Rao et al. is adapted to cause the reaction mixture to reach a foam-like consistency.

Rao et al. also teaches the means for introducing the at least one viscosity controlling agent into the supply means comprises a pump, adapted to receive and process a signal from the control means, wherein the signal indicates the flow rate of the viscosity controlling agent passing through the pump (column 3, lines 18-40 and column 4, lines 1-21); the control means is a computer based system, able to monitor pressure drop in the reaction chamber by receiving pressure drop information from a pressure detecting means, and programmed such that said control means (a) translates the received information into a form which allows it to calculate a compensating flow rate of viscosity controlling agent, and (b) transmits a signal detailing the result of the calculation in a form suitable to cause the means for introducing each viscosity controlling agent into a premixer, to initiate the compensating flow rate (column 4, lines 1-21); the pressure detecting means comprises (a) a manometer which detects a value of the pressure drop between the inlet means and outlet means, and (b) a pressure transmitter adapted to transmit the value to the control means (column 3, line 4-column 4, line 21).

In addition, Rao et al. teaches a) adding one or more viscosity controlling agents into a stream of monomers, oligomers, or mixtures thereof to form a reaction mixture; b) feeding the reaction mixture through an inlet means into a reaction chamber, causing

the reaction mixture to polymerise in the reaction chamber and collecting resulting polymer at a polymerisation reactor outlet means, wherein flow rates and temperatures are maintained at substantially constant values, and pressure drop values between the inlet means and the outlet means are monitored by a control means which is adapted to detect and correct variations in said pressure drop from a predetermined value (all citations above).

Allowable Subject Matter

Claims 5 and 9-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiley Stoner whose telephone number is (571) 272-1183. The examiner can normally be reached on Monday-Thursday (7:30 a.m. to 6:00 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on Monday-Friday at (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KILEY S. STONER
PRIMARY EXAMINER

Kiley Stoner 11/17/04